



## UNITED STATES PATENT AND TRADEMARK OFFICE

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 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/662,462	09/15/2000	Terry Smith	2551-49

NIXON & VANDERHYE P C  
 1100 North Glebe Road  
 8th Floor  
 Arlington, VA 22201-4714



## FORMALITIES LETTER



\*OC000000005498469\*

Date Mailed: 10/24/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
  - Total additional claim fee(s) for this application is \$594.
    - \$594 for 33 total claims over 20.
  - The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
  - To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1414.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

00000018	09662462
710.00	000000
594.00	000000
270.00	000000
130.00	000000

12/28/2000 JAD001

01	FC:101
02	FC:103
03	FC:104
04	FC:105



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

SMITH et al.

Serial No. 09/662,462

Filed: September 15, 2000

For: NUCLEIC ACID PROBES AND METHODS FOR DETECTING CLINICALLY  
IMPORTANT FUNGAL PATHOGENS

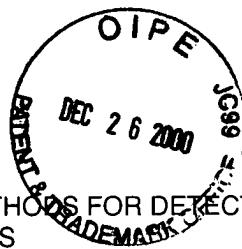
Assistant Commissioner for Patents

Washington, D.C. 20231

Attention: Application Branch

Atty. Dkt. 2551-49

Date: December 26, 2000

The attached completes filing of the above-identified patent application:

- Signed Rule 63 Declaration alone OR  
 Signed Declaration plus attached copy of originally filed specification/drawings.  
 **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED** form.  
 Record and return the attached assignment.  
 Priority is hereby claimed per Rule 55 & 35 USC119 based on prior foreign application(s) Nos.:

<b>Application Nos.</b>	<b>Country</b>	<b>Filing Date</b>
EP 99870109.8	EP	28 May 1999
PCT/EP00/04714		24 May 2000

respectively.

- This application is based on the following prior provisional application(s):

<b>Application No.</b>	<b>Filing Date</b>
60/138,621	11 June 1999

respectively and priority is hereby claimed therefrom.

Certified copy(ies) of foreign and/or provisional application(s):  attached;  already filed on \_\_\_\_\_.  
 in U.S. Application Serial No. \_\_\_\_, filed on \_\_\_\_\_.

- The undersigned verifies that the above-identified application is identical to: PCT/EP00/04714 filed  
 24 May 2000, as amended on  
 This application is entitled to "Small entity" status.  "Small entity" statement attached.  
 Also attached: Please enter the attached Amendment prior to calcuation of the filing fees.

**Fees are attached as calculated below:**

Basic filing fee	\$	710.00
Total Effective claims 53 - 20 = 33 x \$ 18.00	\$	594.00
Independent claims 2 - 3 = 0 x \$ 80.00	\$	0.00
If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)	\$	270.00
<b>FILING FEE</b>	\$	1,574.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$390.00/2 months; \$890.00/3 months; \$1390.00/4 months)	\$	0.00
Surcharge (\$130.00) if Declaration or filing fee first now submitted	\$	130.00
<b>FIRST SUBTOTAL</b>	\$	1,704.00
If "small entity," enter half (1/2) of subtotal and subtract	\$	0.00
<b>SECOND SUBTOTAL</b>	\$	1,704.00
Assignment Recording Fee (\$40.00)	\$	40.00
<b>TOTAL FEE ENCLOSED</b>	\$	1,744.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.  
 The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or  
 which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our  
**Account No. 14-1140.** A duplicate copy of this sheet is attached.

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 Facsimile: (703) 816-4100  
 BJS:

NIXON & VANDERHYE P.C.  
 By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 